

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

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Date of mailing
(day/month/year) **25 OCTOBER 2004 (25.10.2004)**

Applicant's or agent's file reference

FE241496

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/KR2004/001882

International filing date (day/month/year)

26 JULY 2004 (26.07.2004)

Priority date(day/month/year)

25 JULY 2003 (25.07.2003)

International Patent Classification (IPC) or both national classification and IPC

IPC7 H04B 7/26

Applicant

UTStarcom Korea Limited et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/KR2004/001882

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/KR2004/001882

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	1 - 4	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	NONE	YES
	Claims	1 - 4	NO
Industrial applicability (IA)	Claims	1 - 4	YES
	Claims	NONE	NO

2. Citations and explanations :

Reference is made to the following documents:

D1: US 6577616 B1 (10 June 2003)

D2: WO 03/032671 A1 (17 April 2003)

D1 discloses a radical handoff method for resynchronizing a traffic cell site modem (CSM) to a new traffic and positioning a search window so that a mobile station's energy again falls into the center of the range available to the traffic search window (D1, column 9, lines 6-17). Each access CSM is assigned to respective search windows and has a particular search window size parameter and search start offset parameter (D1, column 5, lines 38-48, in combination with column 6, lines 18-20).

The subject matter of claim 1 differs from that of D1 in that a target base station sets a searching area wider than a reference searching area in view of an error in the round trip delay value. However, said difference is disclosed in D2, wherein a control block searches for a pilot signal by using a search window having a width greater than a search window specification contained in the instruction or the search window used for the soft handoff instruction (D2, abstract). Therefore, the subject matter of claim 1 is considered to lack an inventive step.

The additional features of dependant claims 2-4 are derivable from D1 and D2. Therefore, claims 2-4 are considered to lack an inventive step.